REMARKS

Claims 1-5 and 7-20 are currently pending in the present application and are presently under consideration.

Favorable reconsideration is requested in view of the comments below.

I.   Rejection of Claims 1-5 and 7-20 Under U.S.C. §102(e)

Claims 1-5 and 7-20 stand rejected under 35 U.S.C. §102(e) as being anticipated by Anglin (US 6,260,069). Reconsideration and allowance of claims 1-5 and 7-20 is respectfully requested for at least the following reasons. As described in previous correspondence, and reiterated herein, Anglin does not disclose or suggest each and every element as recited in the subject claims.

> For a prior art reference to anticipate, 35 U.S.C. §102 requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

In more detail, with reference to independent claim 1 (and independent claims 10-12, which recite similar aspects), Anglin is silent with respect to *a component that compares an applied trust level of an application with a trust level of a module called by the application and regulates access of the application to a distributed computing platform based at least in part upon the comparison.*

The Examiner has again stated in the Advisory Action dated May 3, 2005 that the above recited claim elements are found in Anglin, as Anglin describes "an access regulation system that can analyze and interact with a computing environment." Yet, the description of Anglin provided by the Examiner does not even tangentially relate to an access regulation system, much less the above-referenced claim aspects. More specifically, the Examiner emphasizes that a backup request is transmitted by a client

2

program *upon determining that* a requested file is maintained in a shared namespace. Again, this determination does not relate to access regulation, but rather refers to determining whether a file that is desirably subject to backup is existent within a shared namespace.

Anglin does, however, disclose a form of access regulation with respect to client devices. In more detail, Anglin teaches that a user logs into a client to gain access to a distributed computing environment as well as files maintained in a shared namespace managed by a file server. (*See* col. 4, lines 1-3, col. 5, lines 19-22). An authentication service can then grant the client an authentication ticket that describes a level of access allowed for the client with respect to files within the file server. (*See* col. 5, lines 22-26). Anglin further discloses that the authentication ticket provides access to services and files throughout the distributed computing environment, including files within the file server. (*See* col. 4, lines 3-8, col. 5, lines 33-35). Thus, in summary, Anglin generally teaches determining whether a client has access to a distributed computing environment, and specifically teaches determining whether a client has access to files within a file server (that can be subject to backup).

This provision of providing an access ticket to a client, however, is in stark contrast to the subject claims. For example, the subject claims recite *a component that compares an applied trust level of an application with a trust level of a module called by the application*, whereas the cited reference discloses determining whether a device has access to a distributed computing environment without regard to any sort of comparison. In more detail, the claimed invention enables a fully trusted application to call and utilize a partially trusted module (in a read-only manner) by comparing the trust levels associated with the application and the module, while Anglin teaches providing an access ticket to a client machine (associated with a user) based upon a user name and password. Thus, it is clear that the client of Anglin is not an *application*, as it is a hardware device logged onto by a user.

Further, there is no teaching anywhere within Anglin of the client calling a module, much less *regulating access of the application to a distributed computing platform based at least in part upon the comparison* between the trust levels associated with the application and the module called by the application. In still more detail, the

3

access ticket provides a client with access to files, which are not associated with any sort of trust level. Thus, even if the granted access were equated to a *trust level* as claimed, there is no disclosure within Anglin of any module, file, or other computer component being associated with a trust level, and thus no *comparison* between a trust level assigned to the client and a trust level assigned to a disparate component can be undertaken. In other words, it is readily apparent that the claimed invention recites *two* disparate trust levels: *an applied trust level of an application* and *a trust level of a module called by the application*. (*See, e.g.,* claims 1, 10, and 20). Anglin, at most, discloses a <u>single</u> trust level – one applied (by way of an access ticket) to a client that is attempting to access files within a file server. Accordingly, per the teachings of Anglin, as there is (at most) one trust level applied to a client, there cannot be a *comparison* of trust levels (as a comparison requires at least two entities).

In view of the foregoing, it is submitted that Anglin does not anticipate nor make obvious the invention as recited in claims 1, 10, and 12 (and claims 2-5, 7-9, 11, and 13-20 which respectfully depend there from). Accordingly, this rejection should be withdrawn.

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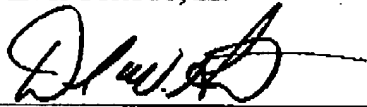
CONCLUSION

The present application is believed to be condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP150US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,

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5